

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

EXPRESS GOLD CASH, INC.,

Plaintiff,

Case No.: 1:22-cv-352

-vs-

C.J. ENVIRONMENTAL, INC. d/b/a
CASHFORGOLDUSA.COM,
EMMA JOHNSON INC. d/b/a
WEALTHYSINGLEMOMMY.COM,
STEER DIGITAL LTD, DANIEL BROWN,
and ADAM TOUTAIN,

Defendants.

**NOTICE OF MOTION FOR
EXPEDITED HEARING ON
PLAINTIFF'S MOTION FOR
TEMPORARY RESTRAINING
ORDER AND PRELIMINARY
INJUNCTION AGAINST C.J.
ENVIRONMENTAL, INC. d/b/a
CASHFORGOLDUSA.COM AND
EMMA JOHNSON INC. d/b/a
WEALTHYSINGLEMOMMY.COM
ONLY**

TO: CLERK AND ALL COUNSEL OF RECORD

PLEASE TAKE NOTICE that, pursuant to L.R.Civ.P. 7(d), plaintiff Express Gold Cash, Inc. ("Plaintiff"), by and through its attorneys Hashmi Law Firm (Kamran F. Hashmi, Esq. appearing), will move before the United States District Court for the Western District of New York, 2 Niagara Square, Buffalo, New York 14202 on **a date to be determined by the Court**, for an Order granting Plaintiffs' Motion for an Expedited Hearing on their Motion for a Temporary Restraining Order and Preliminary Injunction Against defendants C.J. Environmental Inc. d/b/a CashForGoldUSA.com ("CFG") and Emma Johnson Inc. d/b/a WealthySingleMommy.com ("WSM") (collectively, "Defendants").

GROUND FOR REQUESTED RELIEF

In support of this motion, Plaintiff relies upon (1) the Verified Complaint (with

exhibits); (2) the Declaration of Demitrios Kolokouris (with exhibits), (3) the Declaration of Christopher Holland (with exhibits), (4) the Declaration of Sean Schoonover (with exhibit), (5) the Declaration of Michael LaLonde (with exhibit); (6) the Affidavit of Lisa Marie Dorger (with exhibits); and (7) accompanying Memorandum of Law.

As set forth in these papers, an expedited hearing is necessary to prevent immediate and irreparable harm to Plaintiff. Defendants are engaging in intentionally fraudulent and ongoing false advertising that floods the internet and Google search results with false and misleading claims of CFG's superiority so that consumers click on CFG's website and decide to do business with CFG instead of Plaintiff, who is one of two top players in the marketplace. Specifically, Defendant CFG intentionally engaged in and continues to intentionally engage in false advertising by publishing: (a) a bogus "Paid to Date" website counter and false statements concerning the amount "Paid to Date" to consumers; (b) false claims of superiority based on a local news segment broadcast in 2009, including that CFG pays "3X More" than competitors and that the local news segment was broadcast by Fox News and Fox Business News; and (c) false statements that an interactive Gold Calculator will approximate CFG's offer to website visitors. Additionally, Defendant WSM, in concert with defendant CFG, intentionally engaged in and continues to intentionally engage in false advertising by publishing a rigged "secret shopper" style experiment on WSM's heavily trafficked website, which fraudulently determined that CFG paid the highest price.

Unless immediately enjoined, Defendants' intentionally fraudulent actions will continue to irreparably harm Plaintiff by, amongst other things, causing Plaintiff to lose market share and impression share on Google Ads, which may drive Plaintiff out of business.

Pursuant to Local Rule 7(d), a party may seek to shorten the schedule prescribed for motions upon good cause shown. For the reasons stated herein, and in the papers supporting this motion, good cause is shown here for an expedited hearing on the temporary restraining order and preliminary injunction.

WHEREFORE, Plaintiff respectfully requests that the Court order an expedited hearing on Plaintiff's motion for temporary restraining order and preliminary injunction on a date and time set by the Court, or as soon thereafter as counsel can be heard. A proposed form of Order is submitted herewith.

Respectfully submitted,

DATED: May 10, 2022

/s/ Kamran F. Hashmi
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